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ARTICLES  
CONCERNING  
THE SVRRENDER OF  
OXFORD.

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OXFORD,

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1914  
JUL 14  
OCT 14

# Articles of Agreement, concluded and agreed

by his Excellency Sir *Thomas Fairfax*, Knight, Generall of the Forces raised by the Parliament, on the one Party; And the Right Honourable Sir *Rich Lane* Knight, Lord Keeper of the Great Seale of *England*, *Fr. Lyrā Cottington*, Lord High Treasurer of *England*, *Will. Marq. of Hertford*, *Edw. Earle of Dorset*, Lord Chamberlaine of His Majesties Honourable Houshold, *The Earle of Southampton*, *Francis Earle of Chichester*, *Francis Lord Seymour*, Sir *Edw. Nicholas* Knight, one of His Majesties Principall Secretaries of State, all of them being of His Majesties most Honourable Privy Councell, and Sir *Thomas Glemham* Knight, &c. Governour of *Oxford*, on the other party: for, and concerning the Rendering of the Garrison of *Oxford*, as followeth.

1.



That the Garrison of *Oxford*, with the Castle, Forts, Mounts, and places of Defence whatsoever, with all the Ordnance, Armes, Ammunition, and Provisions of Warre, with all Magazines, and Stores thereunto belonging, excepting what is allowed in the ensuing Articles, shall be delivered

to the Generall Sir *Thomas Fairfax*, or whom he shall appoint, without wilfull spoyle, or embezzlement, upon *Wednesday*, the 24<sup>th</sup> day of this instant *June*, at Ten a Clock in the morning, or thereabout.

2. That His Highnesse the Duke of *York*, shall have an Honourable Convoy to *London*, where other of His Majesties Children are, attended by his Officers and Servants, and fitting Accommodation for the removall of his Houshold and Goods thither, and shall have an honourable Provision befitting his Dignity appointed for him by the Parliament, and to remaine there, untill His Majesties Pleasure be knowne touching his settling there or elsewhere, and then to be disposed accordingly to any place within fourescore miles of *London*,

ten, and shall have such Officers and Servants to continue about him, as the Parliament shall approve.

3. That their Highnesses Prince *Rupert*, and Prince *Maurice*, shall have Liberty and Passes for themselves with their Servants, Horses, Armes, and Goods, (the number of their Horses for them and their Traine not exceeding teaveny,) to repaire to any place within fifty miles of *London*, (so it be not within twenty miles of *London*, without leave from the Parliament, nor in any Garrison) and there to abide for the space of six Months after the Rendring, free from any molestation by imposition of Oathes, or otherwise; And shall have Passes to goe beyond the Seas at any time within the said six Months, with their said Servants, Horses, Armes, and Goods, they ingaging themselves upon their Honours not to use the Liberty hereby granted in the meane time to any Hostility against the Parliament of *England*, sitting at *Westminster*, or any way wilfully to the prejudice of their Affairs; And they are to have the benefit of such the ensuing Articles, as may concerne them.

4. That the Seales call'd the Great Seale, Privy Seale, the Signet, and the Seales of the Kings Bench, Exchequer, Court of Wards, Duchy, Admiralty and Prerogative, as also the Sword of State, shall at such time, and in the presence of two such Persons, as the Generali Sir *Thomas Fairfax* shall appoint, be lockt up in a Chest, and left in the *Publique Library*. And if any of the aforementioned particulars, shall not be then accordingly produced, the default thereof shall not be charged upon any other person, then such as hath the Custody thereof, and shall wilfully detain or embezell the same.

5. That Sir *Thomas Glemham* Knight, &c. Governour of *Oxford*, with his servants, and all that to him belongs, and all Officers and Souldiers of Horse and Foot, and of the Traine of Artillery, (as well Reformed Officers and Souldiers, as others) with their servants, and all that pertaines unto them, shall march out of the City of *Oxford* with their Horses and compleat Armes that properly belong unto them proportionable to their present or past Commands; Flying Colours, Trumpers founding, Drums bearing, Matches lighted at both Ends, Bullet in their mouthes, and every Souldier to have  
twelve



twelve Charges of Powder, Match, and Bullet proportionable, and with Bag and Baggage, to any place within fifteen miles of *Oxford*, which the Governour shall chuse, where such of the Common Souldiers as desire to goe to their owne homes, or Friends, shall lay downe their Armes, which shall be delivered up to such as the Generall Sir *Thomas Fairfax* shall appoint to receive them. And all Officers and Souldiers, as well Reformed, as others, that shall desire to goe to their Homes or Friends, shall have the Generalls Passe and Protection for their peaceable repaire to, and abode at the severall places they shall so desire to go unto, and shall have Free-Quarter allowed them in all their march from *Oxford*, to those severall places. The Officers, as well Reformed, as other to passe with Equipage of Horses and compleat Armes answerable to their present or past Commands, and Common Troopers with their Horses and Swords only, and all to passe with Bag and Baggage as aforesaid: And that all other Officers and Souldiers (in case there be any such) that shall desire to take Entertainment from any Forreigne Kingdome or State, shall have free-Quarter allowed them for 28 dayes from their march out of *Oxford*, and shall have Passes for their Officers, not exceeding Ten, with their Horses and two servants a peece to goe to *London* to Treat with any Forreigne Ambassador or Agent for Entertainment; And all of them shall have Liberty and Passes to march (the Officers with their compleat Armes and Horses proportionable, to their present or past Commands, and the Common Souldiers with their Armes, and all with Bag and Baggage, to the Quarters neare to *Harwich*, or *Portsmouth*, or to any Port between them, to be transported: Which Armes (except Officers compleat Armes and Horses, and Swords for the Common Souldiers, which they may transport) they shall there lay downe and deliver to such as the Generall shall appoint, or unto the Governour of the next Garrison belonging unto the Parliament, who shall take care for their safety during their abode there, and untill shipping can be provided and weather seafonable, they paying for their Quarter after the said 28 dayes expired, and shall assist them for procuring Vessells and shipping for their transportation at the usuall Rates accustomed

med for freight; The Officers and Souldiers, and others before transportation engaging themselves by promise, not to returne into this Kingdome in Hostility against the Parliament in Bodies as they goe, or in Conjunction with other Forces, or in Command of any Forces invading this Kingdom; And no Oath, or any other Engagement of this, or the like nature to be during their said stay, or at their transportation imposed upon them, saving an Engagement by promise not to doe any Act of Hostility, or of willfull prejudice against the Parliament, during their said stay in *England*. And it is declared, That those of the three Auxiliary Regiments consisting of Gentlemen and their servants, Scholars, Cittizens, and Inhabitants, who are not properly of the Garrison in pay: and such Reformed Officers and Souldiers, who shall not be willing to march forth, shall not be forced to march out upon this Article, but shall have the benefit of the following Articles to remove or remaine in *Oxford*, and in all things else which may concerne them: And those also who shall march forth, shall have the benefit of the ensuing Articles in all things, except for remaining in *Oxford*.

6. That the Governour shall be allowed & assisted in the procuring a sufficient number of Carts, Teames and Boates, & other necessities for the carrying away all goods allowed in these Articles belonging to any Officers, or persons of quality now residing in the Garrison, they paying the accustomed rates, and that such persons as cannot presently through want of Carriages or otherwise, convey them away, shall be assisted with Carriages at any time within three Months for the disposing thereof.

7. That no Officer or Souldier, nor any person whatsoever comprized in this Capitulation, shall be reproached, or have any disgracefull speeches or affronts offered to them, or be stopped, Plundered, or injured in their march, Rendezvous, or Quarters, journeys or places of abode; And if any such thing shall fall out, satisfaction shall be given at the judgement of any two or more of the Commissioners they being equall in number of each party, nor shall the persons aforesaid be inticed, nor any of them be compelled to take up Armes against the King, nor be imprisoned, restrained, sued,

or molested for any matter or cause whatsoever, be it of publique or private interest, before the rendring of the Garrison, during six months after the rendring thereof. And if any Officer, Souldier or person be sick or wounded, that they cannot at present enjoy the benefit of these Articles, that such persons shall have liberty to stay untill they be recovered, and fit accomodation & subsistance shall be provided for them during their stay, and then to enjoy the benefit of these Articles

8. That all Horses, Armes, Money, and other Goods whatsoever, taken as Lawfull prize of War, before or during the Siege and now remaining in the City, be continued in the possession of the present possessors.

9. That these Articles shall extend to the use and benefit of all strangers of any forraigne Kingdome or State, residing within this Garrison, together with their Wives, Children, Servants, Horses, Armes, Goods, Money and Debts.

10. That all persons included in these Articles, without exception of any (other then the Souldiers, which are to march out upon the 5, Article) shall have liberty during the space of three months after rendring the Garrison) either to remaine in *Oxford*, or to remove themselves, with their Families Goods, Horses, and all things that properly belong unto them, or to their disposall. And all Noble men, Gentlemen, and persons of quality, with their Armes and other Equipage, to their houses, or friends, without any prejudice to their friends for receiving them.

11. That all Lords, Gentlemen, Clergy-men, Officers, Souldiers, and all other persons in *Oxford*, or comprized in this Capitulation, who have Estates reall, or personall, under or lyable to Sequestrations according to Ordinance of Parliament, and shall desire to Compound for them (except persons by name excepted by Ordinance of Parliament from pardon,) shall at any time within six months after rendring the Garrison of *Oxford*, be admitted to compound for their Estates, which composition shall not exceed two yeares Revenue for Estates of Inheritance, and for Estates for Lives, Years, and other reall and personall Estates, shall not exceed the proportion aforesaid for Inheritances according to the value of them. And that all persons aforesaid whose dwelling  
House



Houses are Sequestred, (except before excepted) may after the rendring of the Garrison repaire to them, and there abide, convenient time being allowed to such as are placed there under the Sequestrations for their removall. And it is agreed that all the profits, and Revenues arising out of their Estates after the day of entering their names as Compounders, shall remaine in the hands of the Tenants, or Occupiers, to be answered to the Compounders when they have perfected their agreements for their Compositions. And that they shall have liberty, and the Generalls Passe and Protection for their peaceable repaire to, and abroad at their severall Houses or Friends, and to go to *London* to attend their Compositions, or elsewhere upon their necessary Occasions, with freedome of their persons from Oaths, Engagements and Molestations during the space of six months: And after so long as they prosecute their Compositions, without willfull default, or neglect on their part, except an engagement by promise, not to beare Armes against the Parliament, nor willfully do any act prejudiciall to their Affaires, so long as they remaine in their Quarters. And it is further agreed, that from and after their Compositions made, they shall be forthwith restored to, and enjoy their Estates, and all other Immunities as other Subjects together with the Rents and profits, from the time of entering their names, discharged of Sequestrations, & from Fifth, & Twentieth parts, and other Payments and Impositions, except such as shall be generall and common to them with others.

12. That no Lords, Gentlemen, Clergy-men, Scholars, Officers, Souldiers, Cittizens, nor any other persons included in this Capitulation, (except the persons mentioned before, to be excepted from pardon) shall be molested or questioned for any thing said, or done, in or concerning this War, or relating to the unhappy differences between His Majesty and the Parliament, they submitting to Composition, as in the precedent Article; and that the Persons before mentioned to be excepted from Pardon, shall have the benefit of this Article during the space of six months from the rendring of the Garrison, and after, if they be admitted to, and agree for their Compositions.

13. That the persons mentioned before to be excepted from



from Pardon, shall have Liberty, and the Generall Passe and Protection for themselves, Families, Houses, Goods, and all things that properly belong unto them now in *Oxford*, to go unto and abide at their owne Houses, or their Friends, for the space of six Months after the rendring of the Garrison: and within that time to repaire unto *London* to endeavour Compositions for their Estates, and Indemnities of their persons, and to make their Peace: And if they cannot obtaine it, shall have Passes to goe beyond the Seas at any time within the said six Months; and that no other Engagements shall be put upon them, save by promise, not to beare Armes against the Parliament, nor wilfully doe any act prejudiciall to their affaires, so long as they remaine in their Quarters.

14. That the Chancellor, Masters, and Scholars of the Vniversity of *Oxford*, and the Governours and Students of *Christs Church*, of King H. 8. his Foundation: and all other Heads and Governours, Masters, Fellowes, and Scholars of the Colledges, Halls, and Bodies Corporate and Societies of the same Vniversity, and the publique Professors and Readers, and the Orator thereof, and all other Persons belonging to the said Vniversity, or to any Colledges or Halls therein, shall and may according to their Statutes, Charters, and Customes, enjoy their Ancient Forme of Government subordinate to the immediate Authority and Power of Parliament: And that all the Rights, Priviledges, Franchises, Lands, Tenements, Houses, Possessions, Rents, Revenues, Hereditaments, Libraries, Debts, Goods, and Chattells belonging to the said Vniversity, or to *Christs Church*, or to any Colledges or Halls in the said Vniversity (except such Rents and Revenues as have been already taken and received by Ordinance of Parliament) shall be enjoyed by them respectively as aforesaid, free from Sequestrations, Fines, Taxes, and all other molestations whatsoever for, or under colour of any thing whatsoever relating to this present Warre, or to the unhappy differences between His Majesty and the Parliament. And that all Churches, Chappells, Colledges, Halls, Libraries, Schooles, and publique Buildings within or belonging to the City, or Vniversity, or to *Christs Church*, or the severall Colledges or Halls thereof, shall be preserved from defacing and spoyle. And if any re-

movall shall be made by the Parliament of any Head, or other Members of the Vniversity, *Christ's Church*, Colledges or Halls, that those so removed shall enjoy their profits during the space of six Months after the rendring of *Oxford*, and shall have convenient time allowed them for the removall of themselves and their Goods from their Lodgings: Provided that this shall not extend to retard any Reformation there intended by the Parliament, nor give them any liberty to intermeddle in the Government.

15. That the Major, Bayliffes, and Commonalty, and all Corporations within the City, shall enjoy their Ancient Government, and their Charters, Customes, Franchises, Liberties, Lands, Goods, and Debts, and all things else whatsoever which belong to them as Corporations subordinat, to the immediat authority and power of Parliament; And shall not be molested or questioned by colour of any thing before the rendring of this Garrison, done or Ordered by them in the Capacity of Corporations, relating to the differences between His Majesty and the Parliament.

16. That the Cittizens, and Inhabitants of the City, shall not be charged with free-quarter, or billet of Souldiers other then for Lodging, except in urgent time of necessity, and that to be ordered and disposed by the advice of the Major, or his Deputy; And that in all publike Taxes they shall be charged proportionably with the County; And that no Scholar, Cittizen, or Inhabitant in the Vniversity and City of *Oxford*, shall be troubled, or questioned for taking up Armes in the Garrison by expresse Command, during the time it was a Garrison, for the defence thereof: And that the Scholars, Cittizens, and Inhabitants shall have the benefit of this Capitulation in all things that may concerne them.

17. That no Officer, Souldier, or other person who by the Articles are to march out of the City, or Suburbs, or to march in, shall plunder, spoyle, or injure any Scholar, Cittizen, or Inhabitants, or other person in *Oxford*, in their Persons, Goods, or Estates, or carry away any thing that is properly belonging to any of them,

18. That all Ladies, Gentlewomen, and other women now in *Oxford*, whose Husbands, or Friends are are absent from

from thence, may have passes and protections for themselves Servants and Goods, to go to, and remaine at the Houses of their Husbands, or at their Friends, as they shall desire; and to goe or send to *London*, or elsewhere, to obtain the Allowances out of their Husbands or Parents Estates allotted them by Ordinance of Parliament.

19. That such of His Majesties Household Servants, who shall desire to goe to His Majesty, may have free Liberty and Passes to goe accordingly at any time within one Month next after the Rendring of the Garrison. And that His Majesties Household-stuffe, and other his peculiar Goods which are now in *Oxford*, may be carried to His Majesties House at *Hampton Court*: And his Servants under whose charge or custody any of them are, shall be allowed and assisted in the procuring of Carts, Boats, and Carriages for the removall of them thither, and there to remaine till His Majesty shall otherwise dispose of them, and then to be sent or disposed accordingly. And that such of His Majesties Servants who are not able for the present to goe to him, shall have Liberty, Passes and Protections to goe to and remaine at His Majesties said House at *Hampton Court*, and have liberty to attend the Committee for His Majesties Revenues, to procure a competent Allowance out of His Majesties Revenue for their subsistence, untill His Majesty shall otherwise provide for, or dispose of them.

20. That all Clergy-men now in *Oxford*, who shall not upon Composition or otherwayes, be restored to their Church-Livings, shall have Liberty to goe to *London* to obtaine some fitting Allowance for the Livelyhood of themselves and their Families.

21. That it is intended, declared, and agreed, That all Persons comprised within these Articles, shall peaceably and quietly enjoy all their Goods, Debts, and Moveables, allowed by these Articles during the space of six Months, after Rendring the Garrison: And that they shall be free from all Oathes, Engagements, and Molestations, except an Engagement by promise not to beare Armes against the Parliament, nor wilfully doe any Act prejudiciall to their Affaires, so long as they remaine in their Quarrers: and that they shall have



Liberty within the space of six Months (in case they shall be resolved to goe beyond Seas ) to dispose of their Goods, Debts, and Moveables, allowed by these Articles, and depart the Kingdome, if they shall think fit: and to have Passes for their Transportation; Or otherwise to stay in the Kingdome.

22. That if any of these Articles shall in any point be broken or violated by any Person or Persons in *Oxford*, or comprised within this Capitulation, the fault and punishment shall be upon him or them only who made the breach or violation, and shall not be imputed to, or charged upon any other not assenting thereunto, or not an actor in it.

23. That the Duke of *Richmond*, the Earle of *Lindsey*, and their Servants that came forth with them, shall enjoy the benefit of these Articles, in whatsoever may concerne them.

24. That the Garrison of *Faringdon*, shall be Rendred to his Excellency Sir *Thomas Fairfax*, and the Governour, Gentlemen, Souldiers, and all other of what quality soever within those Garrisons, shall enjoy the benefit of these Articles in every particular which may concerne them, they Rendring the Garrison accordingly as *Oxford*.

25. That all Persons comprised in these Articles, shall (upon request) have a Certificate under the hand of his Excellency Sir *Thomas Fairfax*, or the future Governour of the City, That such Persons were in the City at the time of the Surrender thereof, and are to have the benefit of these Articles.

26. That the Generall Sir *Thomas Fairfax*, shall give a Passe to one or two Messengers with their Servants, to goe unto the King to give Him an Account of the Proceedings upon this Treaty and Conclusion thereof, and to returne, and receive the benefit of these Articles.

*FINIS.*

Dated at *Water-Eaton*,  
June 20<sup>th</sup>, 1646.



